



R. Kent
9/25/02
#7/Election
PATENT

Customer No. 22,852
Attorney Docket No. 05905.0126-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Yoshiaki ENDO, et al.) Group Art Unit: 3713
)
Serial No.: 09/663,347 ✓) Examiner: RADA, Alex P.
)
Filed: September 15, 2000)
)
For: GAME DEVICE, GAME)
PROCESSING METHOD AND)
RECORDING MEDIUM HAVING A)
PROGRAM RECORDED)
THEREON)

RECEIVED
SEP 24 2002

TECHNOLOGY CENTER R3700

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated August 21, 2002, the date of response being September 23, 2002 given September 21, 2002 was a Saturday, the Examiner required restriction under 35 U.S.C. § 121 between:

Group I (claims 1-20); and

Group II (claims 21-23).

The Examiner further restricted the claims belonging to Group I as being subject to an election of species requirement, characterized by the Examiner, as follows:

First Species (claims 1-8; Figures 1-6);

Second Species (claims 9-13, and 20; Figures 7-11); and

Third Species (claims 14-15, 16-19, and 20; Figures 12-14).

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Applicants provisionally elect to prosecute the claims belonging to the First Species of Group I, claims 1-8, Group I being characterized by the Examiner as being drawn to a game device for a virtual three dimensional space in a game, classified in class 463, subclass 32, and the First Species being characterized by the Examiner as being directed to an explanation of a battle scene in a game.

Applicants submit the examination of the entire application on its merits would not present a serious administrative burden to the Examiner, and thus traverse the restriction and election of species requirement.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 23, 2002

By: *Richard V. Burgujian* No 24,044
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